

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:09CR31
Plaintiff,)	
)	
vs.)	ORDER
)	
TERRELL L. McGHEE,)	
)	
Defendant.)	

The defendant's motion to suppress (Filing No. 29) was taken under advisement upon the filing of the Transcript of the evidentiary hearing on March 3, 2009. Subsequently, the United States Supreme Court decided the case of *Arizona v. Gant*, ____ S. Ct.____, 2009 WL 1045962 (April 21, 2009), addressing the issue of search incident to arrest as an exception to the warrant requirement under the Fourth Amendment.

IT IS ORDERED:

Each party is directed to file a supplemental brief addressing the affect, if any, of *Arizona v. Gant* upon the matter before the court in these proceedings. Said simultaneous briefs are to be filed **on or before May 1, 2009.**

DATED this 23rd day of April, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge